

who I have worked with, and my friend from the Tri-Cities, who I have worked with, two of my colleagues, that the idea that you can just do this without some kind of a comprehensive strategy leaves you vulnerable to the lawsuit by the environmental action groups that you enjoin.

They take the scientist in there and they put him under oath.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(By unanimous consent, Mr. REGULA was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, they say is the plan that you have got sufficient to restore the Chinook salmon run, or is it sufficient to restore the steelhead run, or is it sufficient for the bull trout?

If the scientist says no, the judge enjoins you, and then, instead of having the harvest rate up here at maybe 50 percent of what it was, you get enjoined, and then you have to come in and come up with a new plan. You will be back in Federal Court, they will demand you go out and have a plan for the entire area. Then when you have that plan developed, it will take you down further.

I can remember when I stood up here and we could have gotten \$2.5 billion in Region VI on the spotted owl, but the people said no, no, no, that is too much, we cannot do that, and they objected to the plan. We wound up with \$1 billion in the whole region.

So I just say to my friend from eastern Washington, and the gentleman from Washington (Mr. NETHERCUTT) and I have been very hesitant not to get into this tonight, I just worry that if you do not have a strategy, if you are just going to leave it go to the local level, and I applaud, by the way, the gentleman from Washington (Mr. HASTINGS) in support of the Multi-species Habitat Conservation Plan, and, by the way, that is done under the Endangered Species Act. I think it is the ultimate tool. This is a tool Pacific Lumber is using in northern California.

So I just worry that if we completely blow this up, that we wind up having nothing, and you leave yourself completely vulnerable to lawsuit after lawsuit that will wind up getting your forest. Instead of being at 50 percent, you will be down at 10 percent, like I am at the Olympic National Forest, a 95 percent reduction because the plan was implemented on a regional basis, top down, and we got killed. My people up there were very upset and offended by it.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(By unanimous consent, Mr. REGULA was allowed to proceed for 2 additional minutes.)

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I just worry that if you do not work out something that gets everybody around that table and provides some leadership, you guys may have to go out there and sit down with these people and get this thing going in the right direction, because somehow you have to have a plan.

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. NETHERCUTT) to close the debate.

Mr. NETHERCUTT. Mr. Chairman, let me respond to my friend. There is nothing in the Interior Columbia Basic Ecosystem Management Project that prevents lawsuits. The gentleman assumes that a seven-State, 144 million acre plan with one preferred alternative is the answer. It is not the answer.

I submit respectfully to the gentleman, I am willing to work through all of this. I have talked to the gentleman from Washington (Mr. McDERMOTT) and said let us work through this in conference. The Senate has a little different feeling about this. But this is not the answer to not having lawsuits, and, in my sense, the courts are going to look and say is there a scientific study, which my predecessor was trying to accomplish. Have a study. There is a study. It did not say a preferred alternative or record of decision or a seven-State, 144 million acre study. It said a study.

We have a study. We have adequate scientific information to allow any court, in my judgment, to resist any challenges, notwithstanding the fact that there is not a record of decision.

So I understand the gentleman's concern, but I am concerned also. I want to have some productivity and multiple use out of our forest system, but I do not come to the conclusion that a Federal program, such as it has been identified, I think accurately, as a bureaucracy, that is top down, not locally decided, which is what was expected in the first place, is the answer. There is no assurance in this. We want to have some language that says "no lawsuits." I will join into that.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. REGULA) has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. REGULA was allowed to proceed for an additional 30 seconds.)

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I want to say to the gentleman, I will be glad to work with all three gentlemen, my colleague the gentleman from Washington (Mr. McDERMOTT) and my two colleagues from the eastern side of the State of Washington. We still need to work something out in conference on this issue, regardless of what happens on the McDermott amendment. But I want you to know I am still willing to work with you all to see if we cannot work out something that makes sense.

I do not want to see our bill get vetoed over this though. I would say to my colleague from Spokane, we cannot risk vetoing the bill. We have to work something out here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. McDERMOTT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. McDERMOTT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 504, further proceedings on the amendment offered by the gentleman from Washington (Mr. McDERMOTT) will be postponed.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to advise Members that we are going to rise temporarily for a matter, and then we will renew our efforts in title III after that. We are going to finish the bill tonight.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4193) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes, had come to no resolution thereon.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4276, COMMERCE, JUSTICE, STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 105-641) on the resolution (H. Res. 508) providing for consideration of the bill (H.R. 4276) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### POSTPONING FURTHER PROCEEDINGS ON MOTION TO INSTRUCT ON H.R. 3616, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that further proceedings on the question on agreeing to the motion to instruct on H.R. 3616 be postponed until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.